

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

THE CHICKASAW NATION and)	
THE CHOCTAW NATION,)	
)	
Plaintiffs,)	
)	
v.)	No.: 05-01524-W
)	
UNITED STATES DEPARTMENT OF)	Senior Judge Lee West
THE INTERIOR, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

**PLAINTIFFS’ UNOPPOSED MOTION FOR ADDITIONAL
TIME TO FILE RESPONSE TO DEFENDANTS’ MOTION TO EXCLUDE
SUPPLEMENTAL REPORT OF PLAINTIFFS’ EXPERT MARK BERKMAN**

COME NOW Plaintiffs, the Chickasaw Nation and the Choctaw Nation (“Nations”), and move the Court for a seven (7) day extension (*i.e.*, from May 29, 2015 until June 5, 2015) to file their response to Defendants’ Motion to Exclude Supplemental Report of Plaintiffs’ Expert Mark Berkman [Dkt. No. 276] and Defendants’ Memorandum in Support of Their Motion to Exclude Supplemental Expert Report of Dr. Mark Berkman [Dkt. No. 280]. In support of this Motion, Plaintiffs show as follows:

1. Plaintiffs’ counsel seeks a seven (7) day extension to file their response to Defendants’ Motion to Exclude Supplemental Report of Plaintiffs’ Expert Mark Berkman [Dkt. No. 276] and Defendants’ Memorandum in Support of Their Motion to Exclude Supplemental Expert Report of Dr. Mark Berkman [Dkt. No. 280] on the same day as their response to Defendants’ *Daubert* Motion to Exclude Expert Opinion Testimony of Dr. Mark Berkman [Dkt. No. 296] (*i.e.*, from May 29, 2015 until June 5, 2015).

2. Reggie N. Whitten, counsel for the Nations, has conferred with Marissa Piropato, counsel for Defendants, and Defendants have no objection to the granting of this motion.

WHEREFORE, the Nations request an additional seven (7) days until June 5, 2015 to file their response to Defendants' Motion to Exclude Supplemental Report of Plaintiffs' Expert Mark Berkman [Dkt. No. 276] and Defendants' Memorandum in Support of Their Motion to Exclude Supplemental Expert Report of Mark Berkman [Dkt. No. 280].

Respectfully submitted,

s/ Michael Burrage

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CERTIFICATE OF SERVICE

I hereby certify that on Friday, May 22, 2015 I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to all ECF registrants.

s/ Michael Burrage

Michael Burrage